

Amendments to the Drawings:

Amendments were made to some of the drawing figures. Numerals have been added to some figures to more clearly support elements included in the claims. Figures 1 and 2 have not been amended and therefore that sheet is noted as "Original". Figures 2 - 7 have changes and therefore two copies each of the sheets containing those Figures are included, one copy as a replacement sheet and one copy as an annotated sheet. Figures 8 - 10 are new and therefore the sheet containing those figures is labeled as "New".

The numeral "28" was added to Figures 5, 6a, 6b, and 7.

The numeral "30" was added to Figures 5 and 7.

The numeral "26" was added to Figures 5 and 7.

The numeral "40" was added to Figures 5 and 7.

The numeral "19" was added to Fig. 3 at two places, Fig. 5 at two places, Fig. 6a at one place, Fig. 6b at two places, and Fig. 7 at two places.

The numeral "22" was added to Figures 3, 5, and 7.

The numeral "20" was added to Figures 5 and 7 to identify more clearly the location of the sensing mechanism or element.

The numeral "42" was added to Figure 7 to identify the location of the magnetic detacher.

New drawing Figures 8, 9, and 10 were added to show various embodiments of the probe cited in the claims. The numeral "36" indicates the probe in the drawings. The embodiments are intended to be indicative of the many possible types of probe that may be used.

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Attachments: One Original Sheet

Four Replacement Sheets.

Four Annotated Sheets

One New Sheet

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Remarks/Arguments

Specification

A new paragraph was inserted after paragraph [0032] to describe Fig.'s 8 - 10.

Paragraph [0037] of the specification was amended to insert the number "30" after "head" to support additions to the drawing figures. Figures 5 and 7 now have the numeral "30" to indicate the tack head. These amendments are intended to show the feature of the tack head specified in the claims.

Paragraphs [0037], [0038], and [0039] of the specification were amended to insert the number "28" after "shaft" to support additions to the drawing figures. Figures 5, 6a, 6b, and 7 now have the numeral "28" to indicate the tack shaft. These amendments are intended to show the feature of a tack shaft specified in the claims.

Paragraph [0037] of the specification was amended to insert the number "22" after "three openings". Figures 3, 5, and 7 now have the numeral 22 to indicate one of the three openings. These amendments are intended to show the feature of the three openings specified in the claims.

Paragraph [0038] was amended to insert the number "22" after "probe" and to reference new Figures 8, 9, and 10 which show various embodiments of the probe. Figures 8, 9, 10 have the numeral 22 in them indicating the probe. These amendments are intended to show the feature of the probe specified in the claims.

Drawings

Amendments were made to some of the drawing figures. Numerals have been added to

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some figures to more clearly support elements included in the claims.

The numeral "28" was added to Figures 5, 6a, 6b, and 7 to identify more clearly the shaft of the tack.

The numeral "30" was added to Figures 5 and 7 to identify more clearly the head of the tack.

The numeral "26" was added to Figures 5 and 7 to identify more clearly the opening in the security tag that receives the anchoring tack.

The numeral "40" was added to Figures 5 and 7 to identify more clearly the opening in the security tag that receives the probe.

The numeral "19" was added to Fig. 3 at two places, Fig. 5 at two places, Fig. 6a at one place, Fig. 6b at two places, and Fig. 7 at two places. The numeral "19" was added to identify more clearly the three ball bearings.

The numeral "22" was added to Figures 3, 5, and 7 to identify more clearly the three openings for the three ball bearings.

The numeral "20" was added to Figures 5 and 7 to identify more clearly the location of the sensing mechanism or element.

The numeral "42" was added to Figure 7 to identify the location of the magnetic detacher.

New drawing Figures 8, 9, and 10 were added to show various embodiments of the probe cited in the claims. The numeral "36" indicates the probe in the drawings. The embodiments are intended to be indicative of the many possible types of probe that may be used.

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Claims

Claim 3 was amended to remove the word "may" and insert other clarifying language.

Examiner has withdrawn Claim 18 and Claim 19 because Claim 18, as previously written, depended on itself. This is an unintended typo which we have corrected. Claim 18 has been amended to depend on Claim 17. Applicant respectfully requests that Claims 18 and 19 be reconsidered.

With regards to Examiner's rejection of Claim 1 and objection to Claims 2-12, 14 as being dependent on a rejected base claim, MPEP §2131 requires that to anticipate a claim, the reference must teach every element of the claim. MPEP §2131 provides:

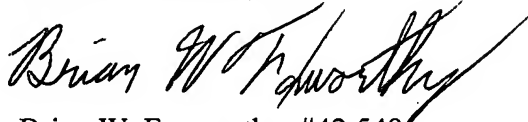
"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, ...

Contrary to Examiner's statement that Nguyen et al. (5,426,419) anticipates Claim 1, it does not disclose all elements of Claim 1. Nguyen does not disclose a releasable ball bearing clutching means. The rejection is unsupported by the Nguyen reference and Applicant respectfully requests that it be withdrawn.

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The Applicant hereby respectfully ask that the application be amended as shown and approved for advancement and allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian W. Foxworthy", with a long, sweeping horizontal stroke extending to the right.

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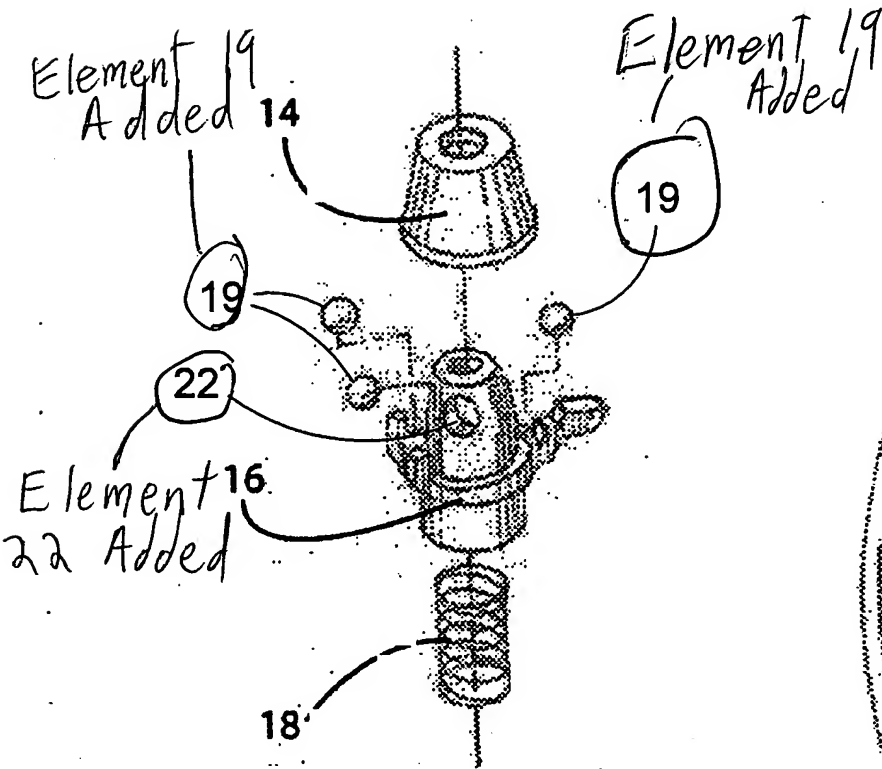


Fig. 3

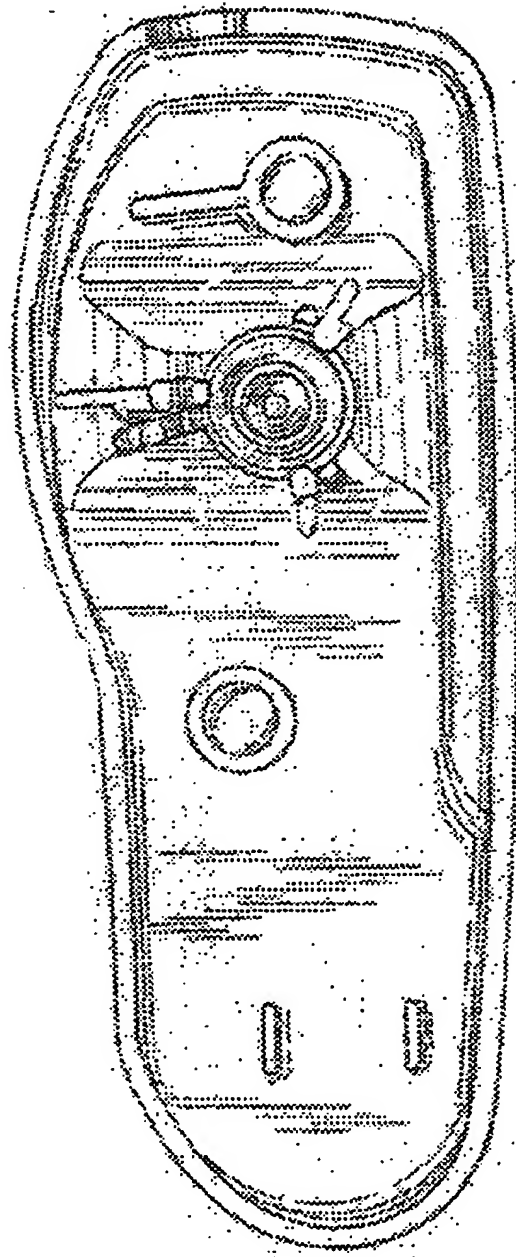
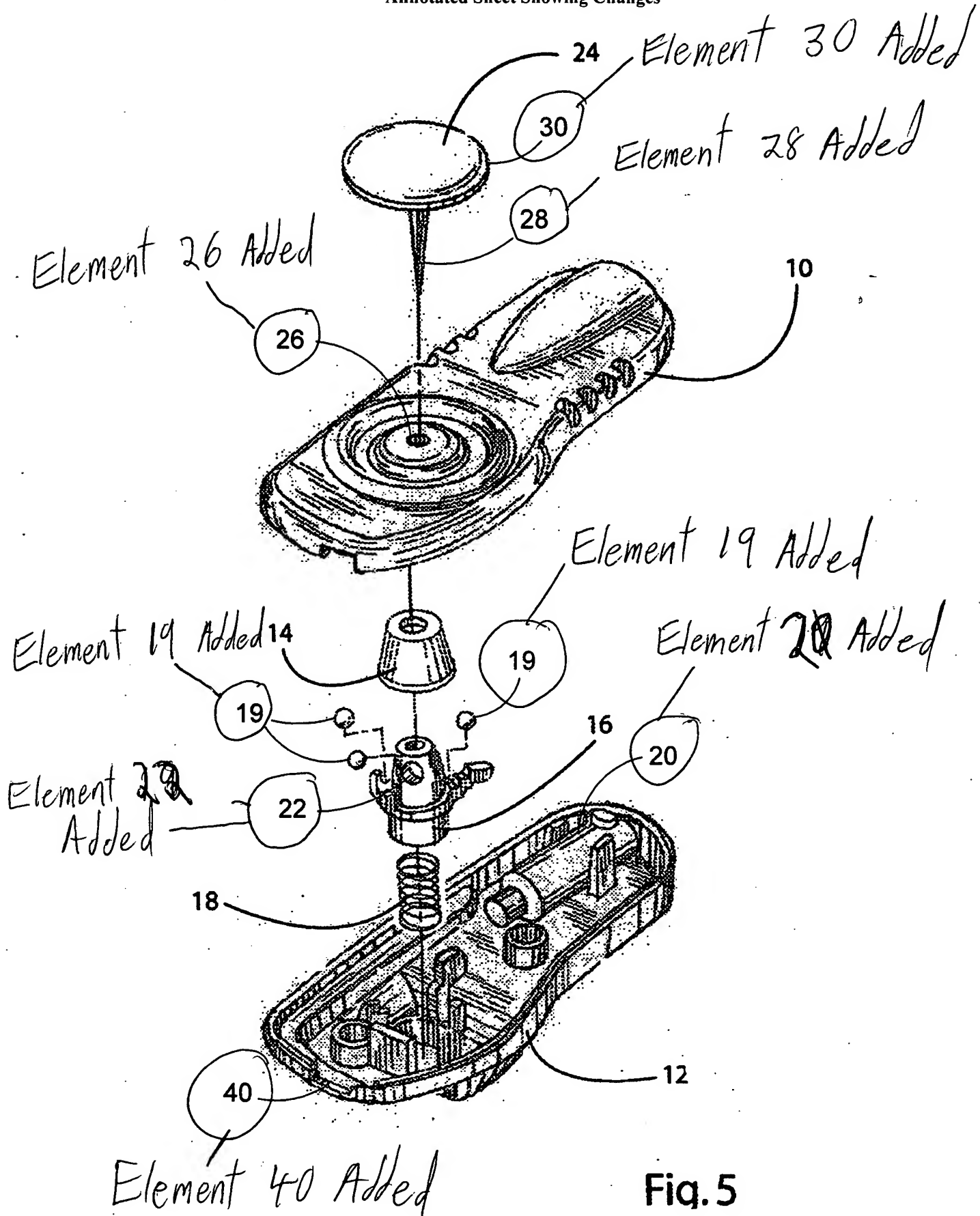


Fig. 4



Element 19 Added

Element 28 Added

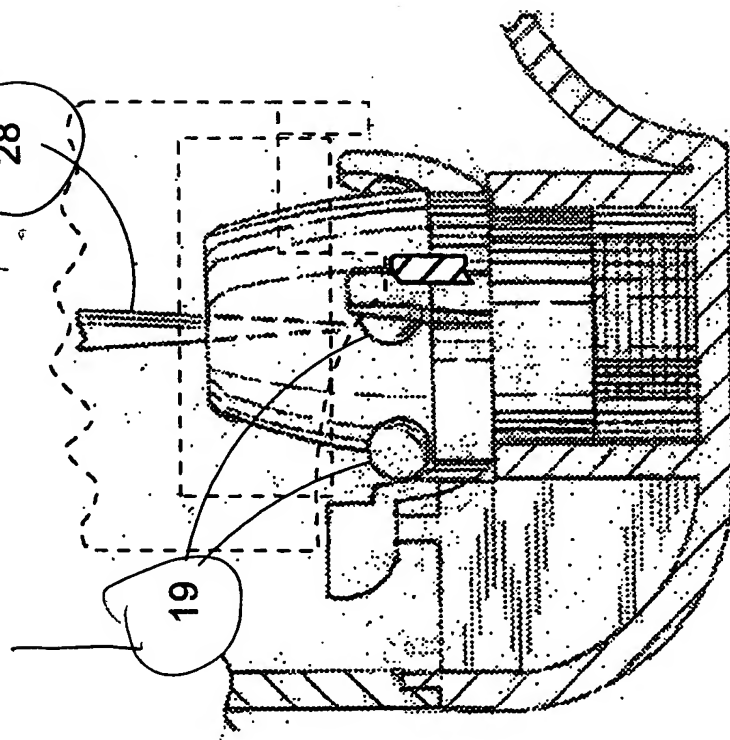


Fig. 6a

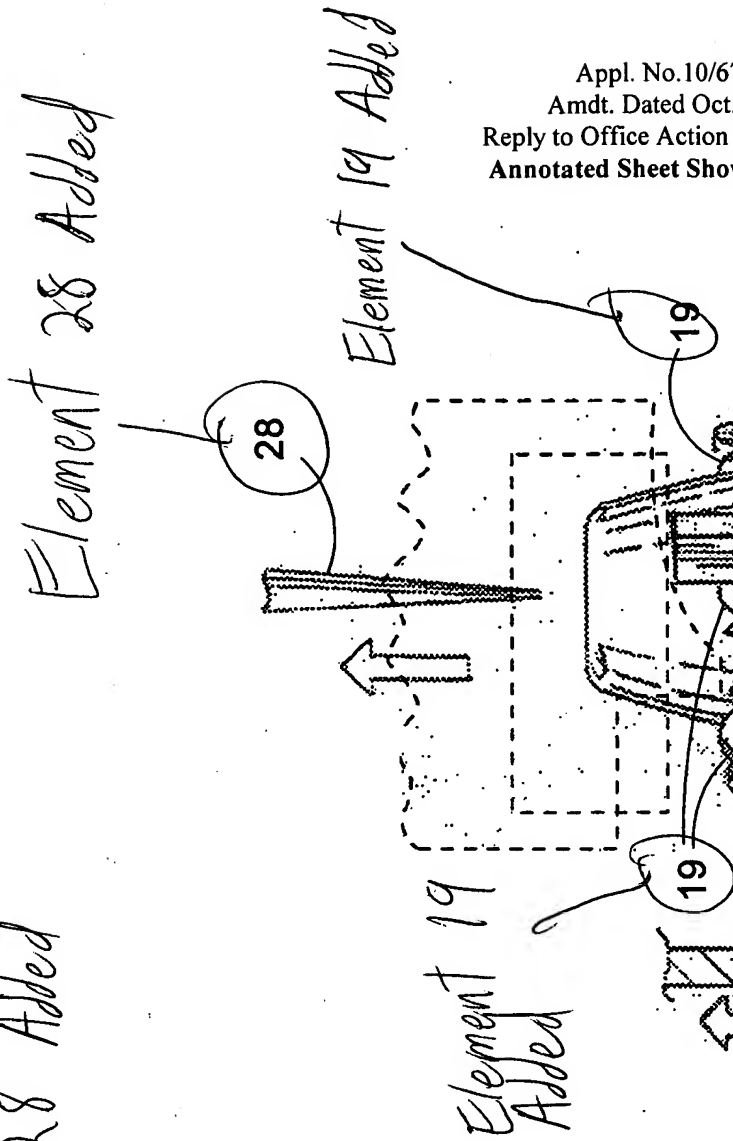


Fig. 6b

